

STATEMENT OF REASONS  
WYOMING GAME AND FISH COMMISSION  
CHAPTER 46  
FISHING REGULATIONS

W.S. § 23-1-302(a) empowers the Commission to fix season and bag limits, open, shorten or close seasons on any species or sex of wildlife (defined in § 23-1-101) and to establish rules and regulations necessary for control of the game species.

Section 2. Definitions:

A few minor grammatical changes were made. Added language to clarify definitions of “baitfish”, “business establishment”, “fishing contest”, “gamefish” and “live baitfish dealer”. Added a definition of “business establishment” to clarify regulations pertaining to live baitfish dealers. Edited definition of “commercially produced live baitfish” to include fathead minnows obtained from Department approved hatcheries outside of Wyoming.

Section 4. Methods:

Deleted language prohibiting the use of artificial light and added language allowing use of artificial light except when spear gunning for game fish to reflect House Bill 0048, Fishing with Artificial Light. The intent of HB0048 was to provide for the use of artificial light or lighting devices while fishing. The addition of Section 4(d) will specifically authorize the use of corn as bait.

Section 5. Creel Limits:

Deleted redundant language from the creel limit regulation. Clarified that the six fish creel limit for the trout category includes fish caught from streams and lakes combined.

Section 7. Live Baitfish Dealers:

Deleted language preventing the transport of live baitfish into the state and added language explaining new requirements for live baitfish importation. Proposed changes will allow persons holding a commercial hatchery license or a live baitfish dealer license to import fathead minnows from approved commercial sources outside the state of Wyoming.

Edited Section 7(d) to clarify that mobile sales of live baitfish will not be permitted. Live baitfish dealer licenses will specify a business establishment from which baitfish may be sold.

Section 8. Use of Baitfish:

Relaxed language prohibiting importation of live baitfish and referenced Section 7 for regulations associated with importation.

Section 10. Underwater Spear Gun Fishing:

Added language to continue prohibiting the use of artificial light when spear gunning for game fish. Some game species like walleye may be highly vulnerable to speargun harvest, particularly when aggregated in spawning habitats. The proposed restriction will require spear gunners wishing to take game fish at night to focus efforts on species that have been illegally introduced and classified as nongame fish such as burbot in Flaming Gorge Reservoir and walleye in Buffalo Bill Reservoir. The prohibition on use of artificial light to take game fish with a spear gun is also consistent with regulations in surrounding states. Also deleted an unnecessary spear gun restriction in Area 1.

Section 14. Fishing Contests:

Deleted reference to “licensed fishing preserves” due to redundancy with definition of “fishing contest”.

Section 18. Area 1 Live Baitfish:

Deleted the word “Native” to clarify that the only species permissible for use as dead bait in Area 1 are those listed. Nonnative baitfish (e.g. white sucker) are not permitted. Clarified that use of archery equipment and spearguns is prohibited in Grand Teton National Park.

Section 25. Area 3 Exceptions to General Provisions:

Added a regional restriction for streams so that three drainage exceptions could be eliminated. This change would simplify the interpretation of regulations in streams in Area 2 because anglers would not have to figure out which major drainage a stream is in to determine the creel limit for the trout category.

Section 26. Area 3 Live Baitfish:

Added an allowance for the use of commercially produced live baitfish in LAK Reservoir.

Section 28. Area 4 Exceptions to General Provisions:

Designated walleye as nongame fish throughout Area 4. Walleye were illegally introduced into Sulphur Creek Reservoir and have established a reproducing population. Instead of managing for illegally stocked species the Department manages against these species by allowing unlimited harvest. A must kill regulation will prevent anglers from returning this unwanted species to the reservoir.

Changed the order of two regulations in the Green River drainage so that drainage regulations are consistently presented from upstream to downstream.

Deleted an unnecessary regulation restricting anglers from fishing immediately above a fish migration barrier on LaBarge Creek.

Section 32. Area 5 Exceptions to General Provisions:

Deleted bass regulation on Festo Lake following evaluation. Bass population has not responded and regulation is not necessary. Edited Special Fishing Contest Provision dates. The Special Fishing Contest Provision at Glendo Reservoir is intended to provide at least the last two weeks in June as tournament-free dates. Designating specific dates requires that Chapter 46 be opened

every two years to update these dates. Editing this provision to keep the last two weeks of the month tournament-free will accomplish this without using specific dates that must be edited every two years.

Changed the bass regulation for Grayrocks Reservoir to focus harvest on the most abundant size class of bass while allowing some bass harvest and providing some protection of spawning size bass.

Changed the regulation for northern pike and tiger muskie on Grayrocks Reservoir from three of each species to three fish in combination and removed the 30 inch minimum size limit.

Deleted bass regulation on Hawk Springs Reservoir following evaluation. Bass population has not responded and regulation is not necessary.

#### Section 34. Free Fishing Day:

Edited reference to specific dates. Listing of specific dates each year requires that Chapter 46 be opened every two years simply to edit free fishing day dates. The Sport Fishing Foundation (SFF) has designated the first Saturday of June as a national free fishing day for many years. The Department subsequently designates these dates as free fishing days. The proposed change will allow the Department to recognize the SFF national free fishing day, without having to regularly edit Chapter 46 to update specific dates.

#### Section 36. Effective Date:

Added an effective date of January 1. In order to provide consistency and allow printing and distribution of regulation booklets, fishing regulations have traditionally gone into effect on January 1, rather than becoming effective immediately.

Minor grammatical and formatting edits have been incorporated to provide additional clarity but do not change the intent of the rules and regulations.

Chapter 46, Fishing Regulations, provides for the management of fish in the waters of Wyoming. The rules allows for creel and size limits of fish to be taken, legal methods to take fish, open and closed waters to take fish, management of live baitfish dealers, transportation and possession of live fish, fishing contest provisions and specific exceptions to general fishing rules. These rules are periodically updated to address fish management concerns throughout Wyoming.